

willful misconduct. I am therefore inclined to think that justice requires a little more than a nominal fine.  
Judgment will be that the defendant pay a fine of twenty-five dollars upon each count."

W. M. JARDINE, *Secretary of Agriculture.*

**15115. Adulteration of pecans. U. S. v. 23 Barrels of Pecans. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21857. I. S. No. 12915-x. S. No. W-2125.)**

On April 25, 1927, the United States attorney for the Western District of Washington, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 23 barrels of pecans, remaining in the original unbroken packages at Seattle, Wash., consigned by the Southland Pecan Co., Mobile, Ala., about January 27, 1927, alleging that the article had been shipped in interstate commerce from Mobile, Ala., into the State of Washington, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Gold Medal Pecans Southland Pecan Co. Columbus, Ga. U. S. A. Growers and Shellers, Brown Pieces."

It was alleged in the libel that the article was adulterated, in that it consisted in whole or in part of a filthy, decomposed, and putrid vegetable substance.

On or about May 16, 1927, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

W. M. JARDINE, *Secretary of Agriculture.*

**15116. Adulteration of canned peas. U. S. v. 600 Cases of Canned Peas. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 21056. I. S. No. 8129-x. S. No. E-5755.)**

On May 6, 1926, the United States attorney for the District of New Jersey, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 600 cases of canned peas, at Jersey City, N. J., alleging that the article had been shipped by the Knoxboro Canning Co., Oriskany Falls, N. Y., on or about January 29, 1926, and transported from the State of New York into the State of New Jersey, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "White Mountain Brand Sweet Peas \* \* \* New Hartford Canning Co. New Hartford, Oneida Co., N. Y."

It was alleged in the libel that the article was adulterated, in that a substance, saccharin, had been substituted in part for the said article, and in that it contained an added poisonous or other added deleterious ingredient, saccharin, which might have rendered it injurious to health.

On December 2, 1926, the New Hartford Canning Co., Ltd., New Hartford, N. Y., having appeared as claimant for the property and having consented to the entry of a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant upon payment of the costs of the proceedings and the execution of a bond in the sum of \$150, conditioned in part that it not be sold or otherwise disposed of contrary to the Federal food and drugs act, or contrary to the laws of any State, Territory, District, or insular possession of the United States, which prohibits the use of saccharin in like products for human consumption.

W. M. JARDINE, *Secretary of Agriculture.*

**15117. Adulteration of tomato paste. U. S. v. 18 Cases of Tomato Paste. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 21542. I. S. No. 15099-x. S. No. C-5313.)**

On January 25, 1927, the United States attorney for the Eastern District of Louisiana, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel praying seizure and condemnation of 18 cases of tomato paste, remaining in the original unbroken packages at New Orleans, La., alleging that the article had been shipped by John S. Mitchell Inc., Windfall, Ind., on or about November 24, 1926, and transported from the State of Indiana into the State of Louisiana, and charging adulteration in violation of the food and drugs act. The article was labeled in part: (can) "Imperial Brand Pure Tomato Paste, \* \* \* Distributed By John S. Mitchell, Inc. Windfall, Ind."